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October 28, 2024

**VIA ECF**

**MEMORANDUM ENDORSED**

The Hon. Gregory H. Woods  
United States District Judge  
United States District Court  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

RE: *Gordon Surgical Group, P.C. v. Empire Healthchoice HMO, Inc.*, 1:21-cv-04796-GHW-KHP

Dear Judge Woods:

We represent the Plaintiffs in this lawsuit. By Order dated September 6, 2024, this Court granted Plaintiffs an extension to file the third amended complaint and the remaining claims asserted in this lawsuit by separate pleading, to October 7, 2024 (Dkt. 109). By Order dated October 3, 2024, the Court granted a further extension due to the undersigned's wife illness until October 28, 2024.

Unfortunately, the undersigned's wife, while out of the hospital, has continued to be seriously ill, requiring the undersigned to be out of the office a substantial amount of time over the last few weeks coordinating care, arranging for aides, and providing primary care. This care is now in place, enabling the undersigned to return to work full time. Given the circumstances, however, Plaintiffs respectfully request a final two-week extension of time to file the third amended pleading and separate claims, to November 11, 2024. We make this request with consent of Defendants.

We greatly thank the Court for its consideration of this request.

Respectfully,

**HARRIS BEACH PLLC**



Roy W. Breitenbach

RWB:mtf


cc: Valerie Sirota, Esq.

Meaghan T. Feenan, Esq.

Application granted. Plaintiffs' application for an extension of time to file the third amended complaint and separate claims, Dkt. No. 112, is granted. The deadline for Plaintiffs to file the third amended complaint and separate claims is extended to November 11, 2024. The Clerk of Court is directed to terminate the motion pending at Dkt. No. 112.

SO ORDERED.

Dated: October 28, 2024  
New York, New York

  
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GREGORY H. WOODS  
United States District Judge